

Her Majesty the Queen

v.

Order # _____

Approved: _____

(Name, DOB and ID Number of Offender)

Judge

D/M/Y

ORDER

(breach of conditional sentence)
(Section 742.6(9) C.C.)

On _____, 20 ____, by Order # _____, the offender was sentenced in the _____ Court at _____ to a term of imprisonment to be served in the community under condition(s). **The Court** is satisfied that the offender has been found or arrested or is in custody at _____ and that the offender has, at _____, breached, without reasonable excuse, the following condition(s): *(Use Schedule 1 if needed.)*

AND ORDERS THAT:

- (a) no action be taken (and the conditions of the offender's conditional sentence remain unchanged).
- (b) in the interests of justice, _____ of the period during which the running of the conditional sentence was suspended under s.742.6(10) be deemed to have been time served under the conditional sentence. (s. 742.6(14) and (16))
- (c) the optional condition(s) of the conditional sentence be changed [see clause(s) _____ in Schedule A] and the offender be subject to conditions as now revised and set out in Schedule A.
- (d) the Conditional Sentence Order be suspended, the offender serve _____ of the unexpired sentence in custody and the Conditional Sentence Order resume upon the offender's release from custody
 - and the conditions of the offender's conditional sentence remain unchanged
 - and the optional condition(s) of the offender's conditional sentence be changed [see clause(s) _____ in Schedule A] and the offender be subject to the conditions now revised and set out in Schedule A.
- (e) the Conditional Sentence Order be terminated and the offender be committed to custody until expiration of sentence, a period of _____ from the date of this order.

DATED at _____, Nova Scotia, on _____, 20 _____

Judge, Provincial Court Judge, Clerk

Acknowledgement

I have received a copy of this Order;
it has been read to or by me;

I have read or have had read to me the substance of sections 742.4 and 742.6 of the *Criminal Code*; and I understand the meaning of this Order and the substance of sections 742.4 and 742.6 of the *Criminal Code*.

DATED at _____, Nova Scotia, _____, 20 _____.

Witness

Signature of Offender

Order served by above witness

Distribution: Clerk, Offender, Crown Attorney, Probation, Police

Schedule A

Order # _____

The Conditional Sentence Order made on _____, 20 ____ requires that **THE OFFENDER** serve the sentence in the community under the following conditions:

- 1. keep the peace and be of good behaviour;
- 2. appear before the Court when required to do so by the Court;
- 3. report to a supervisor at _____
(complete address)
 on or before _____ and as required and in the manner directed by the supervisor or someone
(date)
 acting in his/her stead;
- 4. remain within the Province of Nova Scotia unless written permission to go outside the Province is obtained from the Court or the supervisor; and
- 5. notify promptly the Court or the supervisor in advance of any change of name or address, and promptly notify the Court or the supervisor of any change of employment or occupation;

AND THE OFFENDER SHALL, as a result of the Conditional Sentence Order and changes made since the Conditional Sentence Order was imposed:

- (a) not take or consume alcohol or other intoxicating substances;
- (b) not take or consume drugs except in accordance with a medical prescription;
- (c) not own, possess or carry a weapon, ammunition or explosive substances;
- (d) provide for the support or care of the following dependants:

- (e) perform _____ hours of community service work (maximum 240 hours over a maximum period of 18 months) under the supervision of a supervisor or someone acting in his/her stead. The place and times when work is to be performed is to be arranged with your Supervisor or alternatively, designated by your Supervisor. All the work is to be completed to the reasonable satisfaction of a supervisor not later than _____, 20 ____.
- (f) attend the following treatment program approved by the Province:

- (g) attend for mental health assessment and counselling as may be directed by a supervisor;
- (h) attend for substance abuse assessment and counselling as may be directed by a supervisor;
- (i) attend for assessment and counselling in a (spousal/partner) violence intervention and prevention program as may be directed by your Probation Officer. (if spousal/partner related)
- (j) attend for gambling addiction assessment and counselling as directed by a supervisor;
- (k) not associate with or be in the company of the following persons:

- (l) not contact or attempt to contact, at any time, _____, for any reason, whether directly or indirectly, unless specifically authorized in writing by the Court;
- (m) from Sunday to Thursday evenings of each week be at your place of residence by _____ o'clock and on Friday and Saturday evenings be at your place of residence by _____ o'clock and remain there until _____ o'clock of the following day of each day unless _____.
- (n) make restitution to
 NAME _____
 in the amount of _____ to be paid to the office of the Clerk of the Court at _____,
 the full sum to be paid by _____; to be paid at the rate of _____
(date)
 dollars per month beginning _____ and each month and every month thereafter;
(date)
- (o) (other reasonable conditions)